

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

PRAYON, INC.,

Plaintiff,

v.

THERMA-FLITE, INC.,

Defendant.

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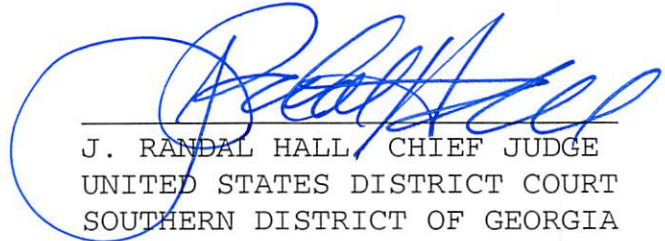
CV 114-235

O R D E R

Before the Court is the parties' stipulation of dismissal with prejudice. (Doc. 60.) The stipulation is signed by all parties in the case.¹ (Id.) Upon due consideration, the Court finds that dismissal is appropriate under Federal Rule of Civil Procedure 41(a). **IT IS THEREFORE ORDERED** that Plaintiff's claims against Defendant - and Defendant's counterclaims against Plaintiff - are **DISMISSED WITH PREJUDICE**. The Clerk is directed to **TERMINATE** all motions and deadlines and **CLOSE** this case.

¹ On July 8, 2016, Defendant filed a petition for bankruptcy in the United States Bankruptcy Court for the Southern District of Texas. (See In re Therma-Flite, Inc., et al., Case No. 16-33469 (Bankr. S.D. Tex. filed July 8, 2016) (the "Bankruptcy Action").) This Court stayed this action upon Defendant's filing of notice regarding the initiation of the Bankruptcy Action in the instant action on July 18, 2016. (Docs. 58, 59.) On January 11, 2018, Plaintiff obtained relief from the automatic bankruptcy stay in the Bankruptcy Action. (Bankruptcy Action, Doc. 184.) The instant stipulation of dismissal is signed by Plaintiff's counsel and the Chapter 7 Trustee for Defendant. (See Doc. 60, at 1-2.)

ORDER ENTERED at Augusta, Georgia this 20th day of March,
2018.



J. RANDAL HALL, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA